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Security Council

Fifty-ninth year

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Tuesday, 19 October 2004, 10.25 a.m.

New York

President:	Mr. Thomson	(United Kingdom)
Members:	Algeria	Mr. Benmehidi
	Angola	Mr. Gaspar Martins
	Benin	Mr. Zinsou
	Brazil	Mr. Sardenberg
	Chile	Mr. Muñoz
	China	Mr. Wang Guangya
	France	Mr. De La Sablière
	Germany	Mr. Pleuger
	Pakistan	Mr. Akram
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Lobach
	Spain	Mr. Yáñez-Barnuevo
	United States of America	Mr. Rostow

Agenda

Threats to international peace and security caused by terrorist acts

Letter dated 15 October 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/820)

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04-56047 (E)

The meeting was called to order at 10.25 a.m.

Adoption of the agenda

The agenda was adopted.

Threats to international peace and security caused by terrorist acts

Letter dated 15 October 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council (S/2004/820)

The President: I should like to inform the Council that I have received letters from the representatives of Bangladesh, Canada, Costa Rica, Cuba, Egypt, El Salvador, Fiji, India, Indonesia, Israel, Japan, Republic of Korea, Liechtenstein, Malaysia, Nepal, Netherlands, Nigeria, Peru, Samoa, Switzerland, Thailand, Uganda and Ukraine in which they request to be invited to participate in the discussion of the item on the Council's agenda. In conformity with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, the representatives of the aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the understanding reached in the Council's prior consultations, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Andrey Denisov, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

It is so decided.

I invite Mr. Andrey Denisov to take a seat at the Council table.

In accordance with the understanding also reached in the Council's prior consultations, I shall take it that the Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to Mr. Javier Ruperez, Executive Director of the Counter-Terrorism Executive Directorate.

It is so decided.

I invite Mr. Ruperez to take a seat at the Council table.

The Council will now begin its consideration of the item on its agenda.

The Council is meeting in accordance with the understanding reached in its prior consultations.

I wish to draw the attention of members to document S/2004/820, containing the text of a letter dated 15 October 2004 from the Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism addressed to the President of the Security Council.

At this meeting, the Security Council will hear a briefing by Mr. Andrey Denisov, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001) concerning counter-terrorism.

I give the floor to Mr. Andrey Denisov.

Mr. Denisov (*spoke in Russian*): As Chairman of the Counter-Terrorism Committee (CTC), I should like to brief the Security Council on the Committee's activities over the past three months and to submit to the Council our thirteenth work programme for the next 90-day period, from 1 October to 31 December 2004.

On 8 October 2004, the Security Council adopted resolution 1566 (2004), which not only reconfirmed its commitment to combating terrorism in all its forms and manifestations but formulated clear and practical measures to strengthen the global, coordinated response to this growing threat to peace and security. Charged with the mandate of monitoring the implementation of resolution 1373 (2001), the CTC intends to implement the relevant provisions of resolution 1566 (2004) and to play a leading and more proactive role in reinforcing an effective counter-terrorism framework at the global, regional and national levels. It is from that perspective that we have approached the planning of the Committee's work for the thirteenth 90-day period. Resolution 1566 (2004) clearly prioritized the main tasks of the CTC.

First, it calls for a more coordinated approach by the Security Council to fight terrorism and, in that regard, calls for closer CTC cooperation with other Security Council bodies dealing with different aspects of counter-terrorism. Secondly, we must more actively and effectively strengthen practical cooperation with international, regional and subregional organizations in all areas related to resolution 1373 (2001). Thirdly, mindful of paragraphs 8 and 11 of resolution 1566 (2004), it is vitally important to speed up the revitalization process on the basis of the organizational plan of the Counter-Terrorism Committee Executive Directorate (CTED), in order to enhance the structural and operative capabilities of the Committee. And fourthly, we must step up our efforts to develop direct dialogue and information exchange with Member States on all aspects of the implementation of resolution 1373 (2001) and to facilitate the provision of technical assistance, in particular through the practical organization of the first visits to States with their consent.

The thirteenth 90-day period work programme seeks to build on the main achievements of the CTC during the previous three months. The twelfth work programme marked the beginning of the revitalization process, as set forth in Security Council resolution 1535 (2004), both in terms of consolidating the structure of the new Counter-Terrorism Executive Directorate and of creating new tools to enhance the effectiveness and capability of the Committee to combat the escalating threat from international terrorism. During the period covered by the thirteenth 90-day period work programme, the CTC will have to take further steps in order to finalize the transition to the new organizational structure and will begin to put into practice its new way of working.

On 29 July the Committee endorsed the organizational plan for the CTED that was submitted to the Committee plenary by Mr. Javier Rupérez, Executive Director of the CTED, in consultation with and through the Secretary-General (S/2004/642, annex II, enclosure). The endorsement of the plan by the Security Council on 12 August opened a new phase of the CTC revitalization process. The CTC plenary will continue to maintain close cooperation with the Executive Director of the CTED in order to coordinate our efforts on the practical implementation of the plan, adopted pursuant to Security Council resolution 1535 (2004), and to make the new structure fully operational as soon as possible.

In coordinating and monitoring the implementation of resolution 1373 (2001), the CTC continued to work with Member States by reviewing reports submitted to the Committee pursuant to paragraph 6 of resolution 1373 (2001). Intensive work by the CTC group of experts enabled the Committee to speed up the process of reviewing the reports of Member States. The experts prepared 65 letters in response to reports, and the CTC will take all necessary measures to enable the subcommittees to consider those reports as quickly as possible.

By 30 September 2004, the Committee had received 526 reports from Member States and others. That figure included first reports from the 191 Member States and 6 from others, 160 second reports from Member States and 2 from others, 117 third reports from Member States and 1 from another, and 49 fourth reports from Member States. However, 78 Member States had not submitted their reports on time. Upholding the need for the universal compliance of Member States with the provisions of Security Council resolution 1373 (2001), the CTC reminds the representatives of States that they should submit their reports as soon as possible. The Committee will maintain its course of cooperation and dialogue with Member States and will provide them with the support needed to resolve any problems that may have delayed the submission of their reports.

In line with the provisions of the twelfth 90-day work programme, the Committee continued its efforts to integrate an analysis and assessment of each country's assistance and other needs into the report reviewing process. The CTC approved a guidance document for making those assessments, which, with the consent of the States concerned, can be shared with interested donor States and organizations. The Committee will rely on the assistance assessment process in order to enhance the dialogue with Member States and the donor community with a view to making technical assistance efforts more effective and better adjusted to the real needs of Member States.

Pursuant to resolution 1566 (2004), during the thirteenth 90-day work programme, the CTC, in consultation with the relevant international, regional and subregional organizations and United Nations bodies, will prepare a set of best practices to assist

States in implementing the provisions of Security Council resolution 1373 (2001) related to the financing of terrorism.

The Committee continued to develop a database of needed and available assistance by regularly updating the Directory of Counter-Terrorism Information and Sources of Assistance, and the Assistance Matrix, which contains information on requests by States for assistance and on the assistance offered by potential providers, including international, regional and subregional organizations. On 29 July 2004, the Chairman of the CTC, in a special note, requested all Member States to submit relevant information on a regular basis so that it can be used to update the database and the Assistance Matrix. The provision of that information is a vital tool to help all Member States seeking technical assistance in various fields.

One of the main objectives of the CTC has remained to encourage Member States to become parties to the relevant conventions and protocols related to terrorism, and to implement their provisions in their national legislation, whether or not they are parties to any regional convention related to terrorism. The Committee will continue to regularly monitor the progress of ratification and implementation of those treaties, considering those activities to be key to the contribution of Member States to strengthening the international legal basis for combating and preventing terrorism.

Over the past three months, the CTC has concentrated on the preparation for CTC visits to Member States. Such visits were recognized in Security Council resolution 1535 (2004) as a new tool to help the CTC effectively to fulfil its mandate to monitor implementation of Security Council resolution 1373 (2001). The Committee has adopted general guidelines for conducting CTC visits to Member States and procedures for the preparation, conduct, and evaluation of CTC visits. Pursuant to the provisions of Security Council resolution 1566 (2004), during the period covered by the thirteenth 90-day period work programme the CTC will accelerate the practical preparations for visits to Member States with their consent.

Pursuant to the action plan agreed upon at the special meeting of the Committee held on 6 March 2003, the CTC continued its efforts to facilitate outreach and coordination among a wide array of international, regional and subregional organizations. During the past three months, the CTC has been actively engaged in the preparation for the fourth special meeting of the CTC, working with one regional organization that had expressed an interest in co-hosting the meeting. Taking into account that that organization is unable to follow the practices and procedures that prevailed at previous meetings, the CTC has had to identify another organization to co-host the next meeting. The CTC is continuing consultations with interested organizations, with a view to arranging the fourth regional CTC meeting as soon as possible.

The CTC has been strongly committed to the principle of transparency in its activities. The web page of the Committee has recently been substantially improved and updated. In this regard, I would like to note the special contribution by the Secretariat. The Committee will continue its efforts to enhance its capacity for — and its methods of — communication. There are plans for the Chairmen of the CTC and of the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and associated individuals and entities to give a joint briefing to interested delegations with an emphasis on cooperation between the Committees, including in the exchange of information.

To further the implementation of Security Council resolution 1566 (2004), the Committee will continue its course of closer coordination with United Nations structures dealing with the various aspects of combating and preventing terrorism. The CTC will take further action aimed at strengthening cooperation between the CTC and the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban. The practice of informal coordination meetings of the Chairmen of the two Committees and their experts is expected to be instrumental in consolidating the single approach of the Security Council to combating terrorism. The CTC will also seek appropriate working contacts with the Security Council committee established pursuant to Security Council resolution 1540 (2004) concerning non-proliferation problems in the context of the terrorist threat.

In conclusion, I would like to emphasize that the fight against terrorism needs to be sustained effectively and with dynamism. It requires a consolidated and

wide-ranging multinational response. By strengthening its structural and working capacity, the CTC is determined to continue to play a proactive role and to provide guidance for international cooperation in preventing and combating terrorism, one of the strongest threats to peace and security.

The President: I now give the floor to Mr. Javier Rupérez, Executive Director of the Counter-Terrorism Executive Directorate.

Mr. Rupérez: First, Mr. President, please allow me to thank you and the other members of the Security Council for the opportunity to address the Council.

As this is the first time I have taken the floor since I have assumed my duties, I would like to take this opportunity to tell the Council of the steps I have taken to put the Counter-Terrorism Executive Directorate in motion. As members know, on 18 May of this year, I had the honour of being appointed Executive Director by the Secretary-General, with the support of the Council, and I officially assumed my duties on 29 June.

In fulfilment of resolution 1535 (2004), on 29 July the Secretary-General presented to the Counter-Terrorism Committee (CTC) my proposed organizational plan for the Executive Directorate. That plan, after due consideration, was endorsed by the Committee and was communicated to the President of the Council on 6 August. The Council approved the plan on 12 August, as Ambassador Denisov has just pointed out. As of that moment, my primary preoccupation was the preparation of the budget and other administrative arrangements to enable the contracting of experts and other personnel who would be integrated into the Executive Directorate. I wish to express my gratitude for the support given to me in that process by the Office of the Secretary-General, the Department of Political Affairs and the human resources and budget offices of the Department of Management, among others. All of them have greatly facilitated my work. I would certainly add the CTC itself and its Chairman, Ambassador Denisov, to my list of thanks, as they have been extremely useful in helping me in my work as Executive Director.

Similarly, I have initiated contacts with international organizations of primary relevance to our future work, such as the International Monetary Fund, the Organization of American States, the Organization for Security and Cooperation in Europe, the African Union, the European Union, the United Nations Office on Drugs and Crime and the International Atomic Energy Agency. At the same time, I have been invited to participate in various forums, which has given me the opportunity to discuss the efforts of the United Nations against terrorism and which has placed the Organization at the centre, where the initiatives put forward by the international community in this regard should converge.

I do not wish to end my statement without giving the Council a brief idea of what the Executive Directorate's first steps will be once it is fully operational. As manifested by the recent adoption of resolutions 1535 (2004), 1540 (2004) and 1566 (2004) by the Council, the fight against terrorism has the preferential attention of the international community. Those resolutions have come to reinforce the measures put forward in resolution 1373 (2001), which can be considered as the cornerstone of United Nations action against terrorism. The Council has been tailoring its actions to the new challenges before it, while reiterating the connection between organized crime or the trafficking of weapons — including weapons of mass destruction — and terrorism, and the need to broaden cooperation not only among Member States, but also with international, regional and subregional organizations.

For those reasons, the Executive Directorate will redouble its efforts to encourage Member States to comply fully with the obligations before them, so that they will be armed with the legal and administrative tools to confront the threat of terrorism, in full conformity to international law. In that regard, dialogue with Member States will be intensified to identify their needs and try to obtain for them the assistance they require. Periodic evaluations and country visits would be a valuable element in orienting our work and obtaining the desired results.

In this task, the action taken by international organizations will play a relevant role, as they can not only help detect the needs of States but also coordinate assistance. It is only in that way that we can begin to close the gap and make more difficult, day by day, the deadly and destructive work of the terrorists. The world expects the United Nations to exercise leadership in the global campaign against this scourge, and I will exert all possible efforts to ensure that the Executive Directorate, which I am honoured to head, is

up to the circumstances and responds fully to the wishes of the international community in this regard.

I wish to conclude by once again expressing my gratitude for the support that I have received from all the members of the CTC, with whom, I trust, I will continue to work in a very close and fruitful manner in this period of transition, and also when the Executive Directorate is fully operational. We have before us a very important task with expectations that we cannot disappoint.

Resolution 1566 (2004), adopted a few days ago by the Council, signalled how urgent it is that the CTED become fully operational. With the valuable cooperation of all Member States, I expect that to become a reality no later than in the first days of the new year.

The President: I thank Mr. Rupérez for his very welcome first briefing to the Council.

In accordance with the understanding reached among Council members, I wish to remind all speakers to limit their statements to no more than five minutes in order to enable the Council to carry out its work expeditiously. In addition to the members of the Council, 23 countries have asked to speak. Therefore, delegations with lengthy statements are kindly requested to circulate the texts in writing and to deliver a condensed version when speaking in the Chamber.

I shall now give the floor to the members of the Council.

Mr. Muñoz (Chile) (*spoke in Spanish*): At the outset, I should like to thank Ambassador Andrey Denisov, Permanent Representative of the Russian Federation, for the detailed information he provided us in his capacity as Chairman of the Security Council's Counter-Terrorism Committee (CTC), by relating the activities carried out by the Committee during the past quarter and presenting the thirteenth programme of work, for the period October through December. I should also like to thank Javier Rupérez, Executive Director of the Counter-Terrorism Executive Directorate (CTED), for his briefing. We assure them of our strong support for the CTC programme presented.

Among the relevant activities carried out by the Counter-Terrorism Committee this year, its efforts to make its revitalization process a reality, in conformity with the provisions of resolution 1535 (2004), stand out. That process is moving forward in keeping with the guidelines set out in past quarterly programmes: the Executive Director has already been appointed; the Executive Directorate's organizational plan has been adopted; and, during the current quarter, it is anticipated that the transition to the new structure will be completed. We hope that the new structure will become operational as soon as possible.

Moreover, we have noted the activities carried out by the Executive Director, Ambassador Rupérez, with regard to utilizing the structure of the Executive Directorate as soon as possible, as well as the meetings he has held with various international or regional bodies to establish cooperation and ties that will make it possible to implement various formulas aimed at increasing the counter-terrorism efforts of the international community.

We thank Ambassador Rupérez once again for the information he provided us, and we reaffirm our support for his leadership and for the body under his guidance. We also appreciate the efforts of the CTC's team of experts to expedite the study, evaluation and processing of the reports submitted by Member States in compliance with resolution 1373 (2001) and the preparation of responses. These make it possible to maintain a dialogue between Member States and the Committee, which gives them the support they need to adequately meet their obligations with regard to cooperating in the fight against terror.

Despite the work and dedication of the team of experts, and despite the efforts of the Committee, we must regret — as Ambassador Denisov said — that 78 States did not meet the deadline for submitting reports. That figure reflects an increase of practically 10 per cent compared with the previous quarter. We urge those States that have not yet done so to meet their obligations as soon as possible. We urge countries that are encountering difficulties in meeting the obligations of resolution 1373 (2001) to request the technical assistance that the Committee, international organizations and donor countries stand ready to provide. The Al Qaeda/Taliban sanctions committee received various requests from Member States during the visits that I, as its Chairman, made with the other members, and we are bringing those requests to the attention of the CTC.

We should like to reiterate that the fight against terrorism requires perseverance, dedication and

persistence in the coordination and integration of efforts, since terrorism continues to be one of the gravest threats to international peace and security. Regrettably, the terrorist attacks perpetrated in the past two months increasingly confirm this. The world has witnessed the horrific scenes from the reprehensible attacks in the Moscow subway and in an educational facility in Beslan, in the downing of two aircraft in the Russian Federation and in the attacks on a mosque in Pakistan and on a tourist centre in Taba, Egypt. In all of those cases, tens or hundreds of people suffered the tragic consequences of such criminal acts: children, the faithful or tourists were innocent victims. That is why such criminal acts oblige us to redouble our efforts, to persist in our objective and to fight tirelessly against this grave threat.

We must maintain the Security Council's resolve to act in unison against terrorism. We can do that only with the necessary cooperation of States and competent organizations. We must therefore reiterate and emphasize the appeal to States that are not yet parties to international treaties on counter-terrorism to become parties to them and to implement legislation relevant to their effective application.

United in cooperation in the fight against terrorism has also been reflected in the cooperative work carried out between the CTC and the Al Qaeda/Taliban sanctions committee, which I chair. In addition to compliance with the provisions of Security Council resolutions aimed at increasing cooperation, we know the value of being able to share information when working in our respective areas. Therefore, we have held meetings between the Chairmen and with the expert teams of both Committees. In addition, we have studied ways in which to share information from the databases being developed, and we have coordinated the holding of monthly meetings among the experts. Moreover, as Ambassador Denisov informed us, both Chairmen have planned to hold an informational meeting with Member States to inform them of the work being done by the Committees.

In conclusion, I should like briefly to refer to resolution 1566 (2004), adopted recently by the Security Council, which is a new step in the fight against terrorism. In that connection, our delegation would like to emphasize the following: first, our reaffirmation of the imperative of combating terrorism in all its forms and manifestations; secondly, the Council's concern for the victims of terrorist acts; and thirdly, the appeal to cooperate with the work of the Security Council Committees established pursuant to resolutions 1267 (1999) and 1540 (2004) — which are acting in coordination, albeit with different mandates and objectives — and to study new measures to be adopted in the fight against terror. Such measures must conform to international law, particularly the norms of due respect for human rights, the rights of refugees and humanitarian law.

In sum, in shouldering our responsibilities under the relevant resolutions we have adopted, we must deny any possibility of cooperation and support to those who seek, through terror, to make their intolerant or extremist views prevail over the individual rights of persons and the collective rights of States to live in peace and security.

Mr. Baja (Philippines): I would like to thank the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Denisov, for his comprehensive briefing on the activities of the Committee over the past three months and for the report of the Committee on its 13th 90-day work programme, covering from 1 October to the end of the year.

Almost three years ago the Security Council adopted resolution 1373 (2001), which gave birth to the CTC in the aftermath of the trauma of 11 September 2001. In our view, the scourge of terrorism remains one of the defining threats to international peace and security of the twenty-first century. The Council has harnessed the efforts of Member States to fight this menace through the mechanisms of resolution 1373 (2001), which has served as the fulcrum for the Council in the fight against terrorism. Earlier this year, we sought to revitalize the work of the CTC through resolution 1535 (2004) and the establishment of the Counter-Terrorism Executive Directorate (CTED). We hope to see the CTED, under the leadership of Javier Rupérez, activated as soon as possible, despite the considerable bureaucratic process that will be required if it is to get into full operation.

We are also grateful to Ambassador Rupérez for his briefing on activities undertaken so far by the CTED and for the future plan of action and objectives, which we support. We are pleased that the Council has again demonstrated its unity and resolve against the enemies of peace by adopting, two weeks ago, resolution 1566 (2004). That resolution will further add substance and texture to the Council's efforts in

implementing practical measures against individuals and groups that are engaged in terror throughout the world.

We are pleased that the Council was unequivocal in its conviction that, while we should not undermine the rights and prerogatives enshrined in the Charter, criminal acts against civilians can never be justified by the purported nobility of the motivation for or rationalization of such acts. The protection of innocent civilians, especially women and children, is a primordial value which the Council will preserve at all times.

We welcome the strategy set out by Ambassador Denisov as the CTC identifies efforts to achieve the goals set out in resolutions 1373 (2001) and 1566 (2004). It is critically important for all Council bodies dealing with international terrorism to ensure close coordination and cooperation in pursuing their respective mandates. Their functions and methods may differ, but they are undivided and certain in their mission to root out terror.

We support the idea that, in its activities, the CTC should actively and effectively strengthen practical cooperation with international, regional and subregional organizations in all areas related to resolution 1373 (2001). We also agree that efforts must be stepped up to develop direct dialogue and information exchange with Member States on all aspects of the implementation of resolution 1373 (2001).

A growing number of States — 68 to date, as Ambassador Denisov said — are unable to submit their reports to the CTC on time. The Committee should look into the reasons for that alarming trend. We suspect that it is caused by the lack of capacity of States to comply with the high standards that the CTC may be setting for them. The Committee should redouble its efforts to provide technical assistance to States to enable them to comply with the provisions of resolution 1373 (2001). The Committee must go beyond its "switchboard orientation" in directing States with regard to where to seek help and become involved in the assessment and the effective programmes on how States could be assisted in specific areas to enable them to implement the requirements of resolution 1373 (2001).

One important initiative in helping the CTC to pursue its mandate effectively is the visits that will be undertaken to Member States to monitor the implementation of resolution 1373 (2001) and to engage in dialogue on States' technical and other assistance needs. Aside from that initiative, the CTC should consider innovations to further enhance international cooperation in the fight against terrorism. Given the difficulties faced by some States in their individual attempts to implement the provisions of the resolution, the possibility of a regional approach among neighbouring States could also be looked into. This approach made great sense in such areas as border control among States that share common borders and frontiers. Such States may be further encouraged to establish among themselves early-warning systems and mutual legal assistance mechanisms, which could help develop strong synergy in the fight against terrorism.

I would like to conclude by emphasizing — as I did in the Council's public meetings on this issue in March and July — that the global effort against terrorism requires the Security Council and the rest of the membership of the United Nations to remain committed partners if success is to be achieved in eradicating the scourge of terrorism. It is our hope that that will embody our shared goal as we move ahead in that endeavour.

Mr. Wang Guangya (China) (*spoke in Chinese*): I should like first of all to thank the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Denisov, and the Executive Director of the Counter-Terrorism Executive Directorate (CTED), Ambassador Rupérez, for their briefings. I would like to express our appreciation to Ambassador Denisov for the effective work of the CTC under his leadership. We welcome the 13th 90-day work programme of the CTC.

I would like to make three brief comments. First, we support the efforts to reform and revitalize the CTC. We believe that it strengthens the central role of the Security Council in international cooperation to combat terrorism. We welcome resolution 1566 (2004), which the Council recently adopted. We also hope that the organizational plan of the CTED will be put into operation as soon as possible.

Secondly, China appreciates the fact that the CTC has done a great deal of work in evaluating Member States' assistance needs in combating terrorism. We welcome the fact that the CTC sent missions to visit the States concerned so as to learn on the ground about the situation of those States with regard to the

implementation of resolution 1373 (2001). China has already submitted its report to the CTC concerning our assistance needs and has provided information about the assistance that we are able to provide to others in the fight against terrorism. China would like to engage in cooperation with all other parties in that respect.

Thirdly, China appreciates the fact that the CTC is continuing to adhere to the operational principle of openness and transparency. We welcome the fact that the CTC has strengthened its cooperation with the relevant international, regional and subregional organizations and United Nations agencies. We also hope that the CTC will coordinate and communicate with the working group to be established by the Security Council pursuant to resolution 1566 (2004).

The President: I thank the representative of China for his admirably concise statement.

Mr. Pleuger (Germany): Like other delegations, we would like to thank the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Denisov, for his detailed and substantial briefing, which my delegation fully endorses. We express our appreciation to him for the able way in which he has been conducting the CTC's work for almost three months now. We also thank the Executive Director of the Counter-Terrorism Committee Executive Directorate, Mr. Rupérez, for his report on the establishment of the Executive Directorate and for his efforts to make it fully operational.

As Germany fully subscribes to the forthcoming statement by Ambassador van den Berg on behalf of the Dutch Presidency of the European Union, I would like to limit my intervention to the following points.

Recent terrorist attacks in Egypt, Pakistan and Russia remind us that the terrorist threat remains real and global. The tragic loss of hundreds of innocent victims, many of them children, has deepened our grief, and has at the same time strengthened our resolve to intensify our common efforts in countering the terrorist scourge.

Eleven days ago, the Security Council unanimously adopted resolution 1566 (2004), thereby making it clear that the United Nations remains at the heart of the global counter-terrorism effort. In particular, the new resolution reaffirms that it is the United Nations Charter and international law, including international human rights, refugee and humanitarian law, as well as the 12 United Nations conventions and protocols relating to terrorism, which constitute the basic legal framework of counter-terrorism worldwide.

Resolution 1566 (2004) highlights the special role of the Counter-Terrorism Committee (CTC) in that context and tasks the CTC and its new Executive Directorate with becoming more proactive in their dialogue and interaction with States and international organizations, in coordination with other relevant United Nations bodies, such as the Al Qaeda/Taliban sanctions Committee and the Committee established pursuant to resolution 1540 (2004). As the Chairman outlined, the CTC has proposed a variety of means of interaction in its new work plan. Interested States can contact the CTC's subcommittees or its able expert team and, hopefully very soon, a fully functional Executive Directorate. States should, in our view, also play a more active part in the monthly briefings offered by the Chairman. They could consider the possibility of inviting the CTC for a visit to discuss all aspects of resolution 1373 (2001), including possible technical assistance needs. That instrument of visits to States with their consent should also be useful in adapting the reporting process to the specific situation on the ground, since future State reports could be conceived as a follow-up to the issues raised during such visits.

Resolution 1566 (2004), in paragraph 6, calls upon international organizations to intensify their interaction with the United Nations and, in particular, with the CTC. In that context, I am pleased to note that Interpol is at present in the process of establishing a liaison office with the United Nations here in New York. The office will be headed by an experienced law enforcement expert, Mr. Ulrich Kersten, who until recently served as the president of the German Federal Office of Criminal Investigation. We are convinced that Interpol's presence in New York will be of mutual benefit to Interpol and to all United Nations bodies dealing with law enforcement and counter-terrorism issues.

To conclude, let me reaffirm Germany's conviction that the best way to promote implementation of resolution 1566 (2004) is to ensure its broadest acceptance by all States Members of the United Nations with a view to securing their active cooperation. Here I fully agree with what the representative of the Philippines has just said. In particular, the new working group foreseen in paragraph 9 should be open to interacting with and

receiving input from interested United Nations Member States, as well as from relevant United Nations bodies and international organizations. Such an open and transparent process would both improve the quality of United Nations counter-terrorism action and strengthen the political and judicial coherence of the global counter-terrorism coalition.

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): Today's open debate on threats to international peace and security caused by terrorist acts is not just one more Security Council debate to review the work of the Counter-Terrorism Committee (CTC). Rather, it is of particular importance, as this is the first time we are taking up this important topic since the adoption on 8 October of resolution 1566 (2004).

I should like at the outset to say that Spain entirely supports the statement that will be made by the representative of the Netherlands on behalf of the European Union.

I would like to express my country's appreciation for the work carried out by the Russian Federation in the chairmanship of the CTC. Spain bore that responsibility until April 2004, and we are well aware of the difficulties and tremendous workload it involves. Accordingly, we reiterate our support for Ambassador Denisov and the entire team from the Permanent Mission of the Russian Federation to the United Nations.

Let me turn to the question of technical assistance, which should be one of the pillars of our work. Effective systems must be in place to enable us to get concrete, practical and visible results. While much remains to be done, we must acknowledge the accomplishments to date of the current CTC Chairman and of the Executive Director, Mr. Rupérez, whom we would particularly like to thank for his contribution to today's debate. It is also necessary to intensify cooperation between the CTC and international, regional and subregional organizations. We praise the Chairman for the way in which he has handled the difficulties that arose with regard to preparations for the fourth special meeting between the CTC and such organizations. We hope that the meeting will take place as soon as possible so that the special meetings can continue to be held on schedule. We would also like to welcome the information just presented by the representative of Germany on cooperation between the CTC and Interpol.

With regard to the work of the CTC itself, we would like to emphasize that it is experiencing a sensitive period of transition. The adoption of resolution 1535 (2004), which set up the Executive Directorate, represented decisive progress towards providing the CTC, and thus the Security Council, with an effective tool to implement the provisions of resolution 1373 (2001). For it to be fully implemented, however, an entire compendium of measures, particularly financial and budgetary measures, must be adopted, and we hope that they will soon be adopted by the General Assembly.

Emphasis must also be given to the new mechanism of CTC visits to Member States, under the conditions stipulated in resolution 1535 (2004). Those visits should make it possible to assess the degree to which resolution 1373 (2001) has been implemented by Member States and should provide a basis for determining what technical assistance approaches could help solve problems that are detected.

One of the fundamental criteria for the work of the CTC is transparency, and today's debate is one of its most important expressions. That principle should be strengthened not only by continuing the Committee's open briefings for all Member States, but also by studying other ways to help strengthen the universal commitment to combating terrorism. In this connection, the Security Council working group recently established to consider recommendations on practical counter-terrorism measures should operate in the most open and participatory way possible.

Just as all acts of terrorism are criminal and unjustifiable, whatever may be their motive and whoever may have committed them, all victims of terrorist acts deserve equal consideration. Concern for victims must be at the core of our conduct, not only in the CTC and the Security Council, but also in the United Nations as a whole. Accordingly we are pleased that resolution 1566 (2004) expressly includes the possibility of setting up an international fund to compensate victims of terrorist acts and their families and the possibility that that fund could be financed, at least in part, with assets confiscated from terrorist organizations and their members and sponsors.

Also, we must not forget that in this struggle shared by all, respect for international law — in particular international human rights standards, the rights of refugees and human rights — is not only

imperative in the fight against terrorism, but also comprises the most efficient tool to be used by the international community to reaffirm its legitimacy in the face of the terrorist threat.

I should like to emphasize that my country has learned to fight terrorism with methods including the rule of law, the strengthening of democracy and full respect for human rights. I can assure the Council that Spain will always be on the front line with the United Nations to help eradicate the scourge that afflicts us all by means of multilateral action that is firmly based upon international legality.

Mr. Sardenberg (Brazil): I would like to thank the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Andrey Denisov, for his comprehensive presentation about the work of the Committee. As a member of the Bureau, I wish to associate myself with his words — that will help me shorten my comments. I also express appreciation to the Executive Director of the Counter-Terrorism Executive Directorate (CTED), Ambassador Javier Rupérez, for his statement.

Brazil participated in the consensus regarding the adoption of resolution 1566 (2004) this year in view of our firm commitment to counter-terrorism in all its forms and manifestations. That guiding principle of Brazilian foreign policy is, since 1988, a constitutional provision in Brazil. As we see it, no cause may justify attacks against innocent people. I wish to reiterate our deepest sympathies to the families of the victims of terrorist attacks.

In our view, one of the most relevant tasks of the United Nations consists in fostering a coordinated response from the international community to terrorism. In that context, the most important roles of the CTC and the CTED are to persuade countries that it is in their own interest to take advantage of the valuable sources of cooperation made available to help them prepare to counter terrorism. It is also the obligation of the CTC and CTED not only to facilitate the actual offering of cooperation, but also to make sure that the assistance provided by third parties to the countries through the CTC is fully satisfactory. In our view, the CTC and the CTED are structured and designed mainly to shelter States that are willing to cooperate but that are, for various reasons, unable to do so.

The CTC, and by extension the CTED, is not to be likened to a sanctions committee. Therefore, we would not only welcome but also strongly recommend that all United Nations Members examine the possibility of approaching the CTC and the CTED in order to discuss possibilities and modalities for increasing cooperation.

I wish to reiterate our view that the current practice of the Council is one of excessive resort to the use of Chapter VII of the Charter. In our view, by limiting recourse to the provisions of Chapter VII to the situations in which they are clearly called for, the members of the Council would be strengthening their commitment to both the spirit and the letter of the Charter.

The fact that the entire operative part of resolution 1566 (2004) remains under Chapter VII suggests that not enough emphasis was given to the possibilities made available by international cooperative action. Such tendencies are, in our opinion, both unnecessary and counter-productive, since the potential for cooperation in the CTC and the CTED are still quite underutilized.

It is a matter of specific concern that the appeal to Member States to negotiate the terms of international conventions is made under Chapter VII. During the negotiations, that point was raised by other delegations as well. In our view, no constraints should be imposed on States' freedom to negotiate.

I would like to make brief comments on the following specific issues. Defining terrorism falls under the functions and powers of the General Assembly, as foreseen in the Charter. In our view, resolution 1566 (2004) reflects compromise language that contains a clear important political message, but it is not an attempt to define the concept of terrorism.

Brazil supports the establishment of an intergovernmental working group to consider possible measures regarding individuals, groups or entities involved in or associated with terrorist activities not encompassed by resolution 1267 (1999), regarding Al Qaeda and the Taliban, as foreseen in resolution 1566 (2004).

In the absence of a common view on terrorism, the development of a consolidated list of individuals and organizations classified as terrorists could lead to a

politicization of the body and of the entire international campaign against terrorism.

We welcome all efforts to bring about transparency in the work of the CTC, and especially in the activities of the working group. The monthly briefings of the presidency of the CTC will constitute a most welcome opportunity for Member States to follow that process. The work of the working group is to be carried out within the framework foreseen in resolutions 1373 (2001), 1535 (2004) and 1566 (2004). It is also our understanding that the need to observe the provisions of international law and due process should be taken into account during that process.

Finally, as regards a fund to compensate victims of terrorism, if such a fund is to be created, we would prefer that its resources, based on voluntary contributions, be directed to victims in developing countries. In addition, it must be pointed out that expropriation of assets must also be subject to the rule of law and due process.

Mr. Akram (Pakistan): I would like to join other members of the Council in thanking Ambassador Denisov, Chairman of the Counter-Terrorism Committee (CTC), for presenting the thirteenth 90-day work programme of the CTC and for his briefing on the work of the Committee during the last quarter. We greatly appreciate his leadership of the CTC. I would also like to thank Ambassador Rupérez, Executive Director of the Counter-Terrorism Executive Directorate (CTED), for his report to the Council today.

We appreciate the opportunity offered by today's meeting to reflect on the course of action that we have taken so far in countering terrorism and to plan for the future.

Pakistan remains committed to the fight against terrorism. Terrorism continues to pose serious challenges to every one of us. The increase in terrorist incidents in different places in the world in recent months, including the terrorist attacks in several Pakistani cities, shows that the terrorist threat is pervasive and that it is real.

We have noted the work done during the last three months and the Committee's plans for the next three months. We share the Chairman's view that the fight against terrorism needs to be sustained effectively and with dynamism. We also share his view that it requires a consolidated and wide-ranging multinational response.

In the context of our discussions today I would like to offer a few comments on the work of the CTC. First, we urge that reports be submitted by all States whose reports are outstanding. Secondly, we have noted the CTC's commitment to promote transparency in its work. We would like to underline that it would remain important for the CTC to find ways and means to associate non-members of the Security Council and of the Committee with the work of the CTC.

Thirdly, we believe that the Committee should remain committed to enhancing the capacity of States to counter terrorism. We are encouraged that the thirteenth work programme says that "facilitation of the provision of technical assistance would remain one of the fundamental commitments of the CTC". Such technical assistance should be relevant to the needs of each country. We hope that the CTC will play a more active role in generating support for such technical assistance, which so far has remained mostly bilateral in nature.

The proposed visits to States, with their consent, under resolution 1535 (2004) should focus not only on promoting cooperation and dialogue but mainly on facilitating the provision of technical assistance to States that may require it.

We noted that the CTC is continuing consultations with the interested regional and international organizations. Mr. Rupérez has listed some of those organizations. We would suggest that close cooperation should also be established with the Organization of the Islamic Conference. We believe that such cooperation would be mutually beneficial.

Mr. Rupérez has also reported on efforts to ensure full operational status for the Counter-Terrorism Executive Directorate (CTED). We hope that the staffing for the Directorate would be on as wide a geographical basis as possible, as provided for in operative paragraph 4 of resolution 1535 (2004). In our view, the Directorate should particularly seek out experts from the Islamic countries.

I shall make a few comments on resolution 1566 (2004). First, we believe that the consensus adoption of resolution 1566 (2004), initiated by the Russian Federation, has sent a clear signal on the unity

of the Council in the fight against terrorism. We need to maintain and to build on that unity.

Secondly, the counter-terrorism measures to be considered by the working group under operative paragraph 9 of resolution 1566 (2004) should be in conformity with the principles of international law, human rights and international humanitarian law. In our view, measures could be considered and imposed on a case-by-case basis for those involved in terrorism.

We also note that operative paragraph 3 of the resolution mentions certain acts "which constitute offences within the scope of and as defined in the international conventions and protocols relating to terrorism ...". A legal and internationally agreed definition of terrorism still needs to be developed, and we hope that will be done by the General Assembly.

As the United Nations has decided in the past that a distinction should be maintained between terrorism and the right of peoples to self-determination, the United Nations should not and cannot reverse its historical support for peoples and nations struggling for liberation from foreign occupation and alien domination.

We also welcome the reference in the preamble of resolution 1566 (2004) to the underlying causes of terrorism. It provides a good basis for evolving a long-term strategy to broaden our focus in the fight against terrorism. Such a strategy should focus on the root causes of terrorism, such as political injustice, non-resolution of long-standing disputes, denial or violation of human rights, including the right of self-determination, and pervasive poverty and socio-economic injustice, which provide fertile breeding ground for terrorism.

We will recommend a United Nations study on the root causes of terrorism and the development of a long-term strategy to address that scourge. In that context, we draw attention to the strategy of enlightened moderation, which has been outlined by President Musharraf of Pakistan, to avoid the danger of a clash of cultures and to promote socio-economic renaissance and political justice for all peoples, especially the peoples of the Islamic world.

Mr. De La Sablière (France) (spoke in French): First, I want to thank Ambassador Denisov, Chairman of the Counter-Terrorism Committee (CTC), for his report to the Council and to tell him how greatly we appreciate his action as Chairman of the Committee. In addition, I join in support of the statement to be made during our debate by the representative of the Netherlands on behalf of the European Union.

Less than two weeks after the unanimous adoption of resolution 1566 (2004), we are meeting once again to discuss our action against one of the most serious threats to international peace and security-terrorism.

France fully associates itself with the report presented by Ambassador Denisov as Chairman of the Committee. He has submitted an ambitious work programme for the coming months and we believe that its priorities are well defined. We are also pleased to have heard the Committee's Executive Director for the first time. His presentation reinforces the usefulness of these public meetings, intended to inform all Member States of the progress in our work.

Mr. Rupérez referred to the contacts he has made to enhance coordination with other United Nations programmes and agencies, in particular the United Nations Office on Drugs and Crime, in Vienna, as well as with regional and financial institutions. We thank him for taking those steps. He described the various stages covered in providing the Executive Directorate with the necessary resources for its action pursuant to resolution 1535 (2004).

As the Council requested in resolution 1566 (2004), we hope that the Executive Directorate will rapidly become fully operational. To that end, we the Member States, must quickly give it the necessary resources. We are then counting on the Executive Director to recruit highly qualified experts as soon as possible. We note with satisfaction that the organization of services proposed by Mr. Rupérez for the CTC will enable its effective work based on good knowledge of all regions and on expertise in all areas of fighting terrorism, including respect for human rights.

Among the new tasks for the Counter-Terrorism Committee, my country considers that preparations for the initial visits to the field are a top priority. We believe that such visits will lead to a better assessment of the situation and make the dialogue between the CTC and States more operational and more useful. The initial visits should take place in those countries where the needs for complying with resolution 1373 (2001) appear to be the greatest. The visits should lead to

recommendations, including technical assistance, if necessary.

Resolution 1566 (2004) has enhanced the role of the Counter-Terrorism Committee. With the support of the Executive Directorate, next year it should commit itself to even more concrete work in monitoring and guiding implementation of resolution 1373 (2001) by all States. In that way, it will contribute to the effectiveness of our collective action against terrorism.

Mr. Motoc (Romania): I join others in thanking Ambassador Denisov for his comprehensive presentation of the work and the priorities of the Counter-Terrorism Committee (CTC) in the coming period. I take this opportunity to congratulate him on his assumption of the CTC chairmanship and wish him every success in his undertakings. I also wish to acknowledge the stewardship that Ambassador Rupérez demonstrated at the helm of the Counter-Terrorism Executive Directorate.

Since Romania aligns itself with the statement to be delivered shortly by Ambassador van den Berg of the Netherlands on behalf of the European Union, I shall confine myself to a few brief remarks of a complementary nature.

A significant number of timely and important initiatives in the fight against terrorism have been taken by the Security Council since Romania became a member of this body at the beginning of this year. Romania was among the most active participants in fostering successive initiatives: the process of revitalizing the Counter-Terrorism Committee (CTC), which culminated in the adoption of resolution 1535 (2004); the establishment of the 1540 (2004) Committee; and, just recently, the adoption of resolution 1566 (2004). Romania supported the recent strong drive towards increased interaction between the subsidiary bodies of the Security Council established under resolutions 1267 (1999), 1373 (2001) and 1540 (2004).

As a consequence, new instruments are now available for the Security Council to deliver on expectations related to countering the increasingly ominous threat of terrorism. Over the coming period, however, much remains to be done to get that machinery fully operational and running. The endorsement of the organizational plan of the Counter-Terrorism Executive Directorate (CTED) by the Security Council on 12 August should be followed, as a matter of priority, by the approval of its budget by the Fifth Committee. Similarly, the 1540 (2004) Committee got a partial approval of the requested funding for the first experts it needs to hire to allow proper consideration of the first national reports to be submitted by States Members of the United Nations pursuant to resolution 1540 (2004). Those two instances reveal a more profound need to improve the system's ability to respond to priorities, as the people we serve see them at present. The concrete elements related to the future activity of the working group established pursuant to resolution 1566 (2004) are still to be discussed and agreed upon among Security Council members. Nonetheless, we trust that what matters most — the political will needed to speedily carry forward those processes — is soundly secured.

Our debate today and our work in those areas in general take place against the backdrop of an unprecedented surge in terrorists' activity. Their reckless acts are intensifying, growing in horror, claiming more victims and affecting more countries and regions than ever before. Terrorists do not pause and therefore neither should we.

Romania fully shares in the sense of urgency bearing on the finalization of all ongoing processes aimed at strengthening the response which the United Nations is capable of giving to terror. We definitely need both the additional support expected from the CTED, as well as a new set of practical measures to be impressed upon all those involved in, or associated with, terrorist activities, as provided for in resolution 1566 (2004).

At the same time, strengthening cooperation and coordination among what we can call the "borderless" subsidiary bodies of the Security Council — the CTC and the Committees established pursuant to resolutions 1267 (1999) and 1540 (2004), each dealing with specific aspects of the global fight against terrorism — is vitally essential for ensuring a coherent and proactive approach of the Council in combating terrorism. Romania welcomes the important steps already taken in that direction by the Chairmen of the CTC and the 1267 (1999) Committee. I also stand ready, for my part, to join in those efforts in my capacity as Chairman of the 1540 (2004) Committee.

For sure, the CTC cannot afford to keep its activity at a lower pace throughout the current transitional phase, which is to end at the moment

CTED becomes fully operational. Its work, in particular on monitoring the implementation of resolution 1373 (2001), has to continue at the same pace, for it is apparent that States continue to face significant difficulties in that process.

One relevant indicator in that regard is the continuous increase in the number of States which are late in submitting their reports, over a third of United Nations Member States now being in that position. That is a worrying situation that, on the other hand, is a strong incentive for the CTC to make facilitation of technical assistance to Member States a top priority for the near future. On-site visits by the CTC should be pursued as a valuable development in that respect.

The signature, ratification and full implementation of all relevant United Nations conventions and protocols relating to terrorism are also essential components in the implementation of resolution 1373 (2001). Resolution 1566 (2004) reiterates the call on all States to become parties, as a matter of urgency, to all those legal instruments. Romania is among those Member States that have gone all the way through the process. We have already transposed an important part of their provisions into our national legislation. In that context, I am very proud that today my delegation is joined at these proceedings by a group of legislators from Romania, representing the national delegation to the Inter-Parliamentary Union.

Finally, I would like to reiterate our commendation of the Russian delegation for its timely initiative embodied in resolution 1566 (2004), a document of clear added value in the global fight against terrorism. The clear prioritization of the CTC's tasks and delivering on the far-reaching goals set out by the resolution are important steps forward in that major endeavour.

Mr. Zinsou (Benin) (*spoke in French*): I wish to thank Ambassador Denisov for his briefing and Mr. Ruperez for his contribution to today's debate.

Since 11 September 2001, the entire world has accurately assessed the threat that terrorism poses to international peace and security. It has become clear that terrorism is a global threat that requires all States to mobilize. I reiterate here Benin's firm commitment to the international community's tireless anti-terrorism efforts. Terrorism challenges States to be constantly vigilant with a view to having some forewarning of its horrendous deeds and to taking appropriate measures, in cooperation with other States, to counter them and to avoid incalculable damage to their vital interests.

The foremost example of the international community's common response to that challenge was the adoption of resolution 1373 (2001), to be followed up by the Counter-Terrorism Committee (CTC). We welcome the many diverse steps taken by the CTC in that regard. In its three years of existence, the CTC has demonstrated its genuine ability to orient the activities of Member States towards the implementation of the Security Council's resolutions. We must acknowledge, however, that despite the efforts States have made to date in the context of the collective security system laid down by the Charter, terrorism remains active. It has diversified its activities and mocks the vigilance of States.

The CTC's consideration of ways to strengthen States' capacity to act has allowed the Security Council to adopt new measures to revitalize itself and to reinforce the legitimacy of United Nations action in that connection. In establishing the Counter-Terrorism Executive Directorate, the CTC has given itself an efficient tool for effectively discharging the mission entrusted to it.

With regard to the activities undertaken during the previous quarter, we note that the CTC has continued to be productive despite the constraints inherent in the transitional phase in which it currently finds itself. That was due to the dynamism of the Russian delegation at the head of the Committee and to the work of the new Executive Director and the Committee's experts. With regard to the praiseworthy progress made in establishing the Executive Directorate, we have no doubt that that body will become fully operational in the timeframe established by resolution 1535 (2004).

My delegation welcomes the adoption of important guidelines on such sensitive issues as Committee visits to Member States and assessing the assistance needs of countries in combating terrorism. We believe that the improvement envisaged in the area of identifying assistance needs is a good way of ensuring that the needs of beneficiary States and the assistance provided to them to combat terrorism will be better aligned. We also believe that the guidelines will also strengthen the worldwide consensus against terrorism. As we emphasized at the time of the

adoption of resolution 1566 (2004), we believe that that consensus can be maintained only if combating terrorism takes place in the context of respect for the sovereignty of States and observance of international law, international humanitarian law and human rights.

My delegation welcomes the reiterated commitment of the Committee to promote that principle. It is on that basis that we encourage all States to cooperate closely with the Committee and to fully join the international framework for cooperation that has been established by international conventions to combat terrorism and organized crime. We also encourage the Committee to strengthen cooperation with other relevant international institutions, with a view to creating synergy and tightening the net against terrorism.

But the fact remains that the effectiveness of the fight against terrorism cannot be guaranteed unless we devote all the necessary attention to resolving international problems and settling conflicts. It is the continuation of such conflicts that generates despair and rebellion, which provide fertile ground for terrorism. Moreover, we must ensure that there is no tendency towards antagonism between religions. The culture of tolerance and dialogue among civilizations is today as essential as tracking down terrorists. There is a need for stronger commitment in that regard on the part of the United Nations.

Mr. Benmehidi (Algeria) (spoke in French): I would like, first of all, to thank Ambassador Andrey Denisov for his excellent briefing and for his efforts to strengthen the mission of the Counter-Terrorism Committee (CTC) in order to enable it to discharge its responsibilities fully. I would also like to welcome Mr. Rupérez and to thank him for his presentation.

We hope that after completing its thirteenth work programme — which we support — the CTC will carry out the final phase of its revitalization, as envisaged in resolution 1535 (2004). We also hope that it will begin to intensify its efforts to make the Executive Directorate fully operational. The twelfth work programme of the CTC marked the start of the implementation of the revitalization process. We therefore welcome the approval, first in plenary meeting of the CTC and subsequently by the Security Council, of the organizational plan for the Executive Directorate that was submitted by Ambassador Rupérez. We encourage the CTC to further strengthen its cooperation with the Executive Directorate in order to coordinate efforts to implement the organizational plan and to make the Directorate fully operational as early as possible.

Moreover, we encourage the CTC to strengthen its communication strategy with Member States. On 19 July, my delegation energetically encouraged the Counter-Terrorism Committee to develop new ways to cooperate with the Committee established to combat Al Qaeda and the Taliban. It is for that reason that we welcome the plan being contemplated to carry out joint meetings between the Chairmen of the two Committees.

We note with satisfaction that during the last quarter the CTC effectively dedicated itself to preparing consensual visits to selected States, as envisaged by resolution 1535 (2004). Those visits are likely to strengthen follow-up in the implementation of resolution 1373 (2001) and to promote the establishment of direct dialogue with the authorities of the States concerned. On 19 July my delegation supported and encouraged such visits and underscored the importance of proper preparation and a clear and precise road map for the objectives to be achieved. Today, we welcome the fact that the CTC has adopted general guidelines and procedures for the preparation, carrying out and assessment of those visits. Visits are an instrument that are likely to better enable the Committee to carry out its tasks pursuant to the relevant resolutions.

We also note with satisfaction the work done by CTC experts in considering the reports submitted by Member States. We note the increase in the number of reports submitted, but would also like to point out that 78 States have yet to submit their reports in the time prescribed. We therefore encourage States to submit their reports. We also urge the Committee to adopt a proactive approach employing dialogue and cooperation and to provide States that desire it the assistance they need.

In addition, my delegation welcomes the Security Council's unanimous adoption of resolution 1566 (2004) on 8 October. Above and beyond the Council's renewal of its commitment to combat terrorism in all its forms and manifestations, that resolution put forth practical measures to enhance the international community's broad and coordinated response to terrorism as a growing threat to international peace and

security. In that regard, my delegation is pleased that steps are being contemplated against terrorist individuals and organizations other than those already covered by the relevant resolutions against Al Qaeda and the Taliban and groups and individuals affiliated with them.

My delegation would like to reiterate its call for a definition of the phenomenon of terrorism. We also reiterate the need to distinguish between terrorist acts, which are condemnable and unjustifiable in all their forms and manifestations, and the legitimate struggle of peoples for liberation, self-determination, freedom and independence including through armed struggle, in accordance with international law. My delegation therefore believes that the criminal acts set out in paragraph 3 of resolution 1566 (2004) should not be interpreted as a definition of terrorism. It is not up to the Security Council to legislate in that regard. That prerogative falls under the competence of the General Assembly, which already has before it two draft conventions on terrorism, which we very much hope will soon be finalized.

Regional legal instruments complement international arrangements to strengthen international cooperation against terrorism. Such instruments include the 1999 Organization of African Unity Algiers Convention on the Prevention and Combating of Terrorism, which entered into force nearly two years ago.

The African Union's first High-level Intergovernmental Meeting on the Prevention and Combating of Terrorism in Africa, which was held in Algiers in September 2002, adopted a Plan of Action that involved several measures, including in the areas of police, border controls, legislative and judicial measures, information exchange and the suppression of the financing of terrorism. That Plan that established a framework for cooperation to combat terrorism in Africa.

A second meeting of that type was held on 13 and 14 October 2004 to consider the implementation of the Plan of Action. The statement adopted at the meeting reaffirmed the need to define terrorism and to distinguish it from the legitimate struggle of peoples for liberation, self-determination, freedom and independence, which international law acknowledge as basic elements in an international consensus on the issue of terrorism. It also emphasized the importance of an international conference to prepare a code of conduct against terrorism at the national level.

Furthermore, we welcome the fact that the African Centre for Study and Research on Terrorism, headquartered in 0Algiers and created within the framework of the Plan of Action, was officially inaugurated on 13 October 2004 by President Abdelaziz Bouteflika. The Centre's objective is to centralize information, studies and analysis on terrorism and terrorist groups and to develop training programmes through organizing training courses, meetings and round tables.

Finally, we are pleased that Ambassador Javier Rupérez, in his capacity as Executive Director of the CTC Executive Directorate, was able to take part in the work of that second high-level meeting of the African Union, to bear witness to the efforts of the African continent in combating terrorism and to end the support of the United Nations.

Mr. Gaspar Martins (Angola): My delegation is very grateful to you, Sir, for scheduling this open debate on the work of the Counter-Terrorism Committee (CTC). In particular, we thank Ambassador Andrey Denisov, Chairman of the CTC, and Executive Director Javier Rupérez for their respective briefings on the work of the Committee.

We are meeting today to consider the thirteenth quarterly work programme of the CTC. This is a good occasion for assessment, for identifying some lessons learned and for reiterating my delegation's firm commitment to the fight against terrorism.

In the past my country has had painful experiences with terrorism, and for decades the essence of our strength, resources and manpower was directed towards its final defeat — the fight against terrorism. We were able to witness the evolution of the terrorists' motivations, the concealment of their true intentions and how their tactics were able to make headway for many years, causing untold suffering to Angolans and the generalized destruction of our country. Angola still bears a heavy burden left behind by terrorism.

The Security Council has adopted a very firm stand against terrorism in all its forms and manifestations by reaffirming that it constitutes one of the most serious threats to peace and security and that any acts of terrorism are criminal and unjustifiable, regardless of their motivations, whenever and by

whomsoever committed. This translates into an awareness that terrorists and their tactics must be condemned and firmly combated, without any ambiguity.

The international community possesses standards and an array of best practices to combat terrorism. However, much still has to be done in the operational domain in the development of best practices in international cooperation to fight terrorism and in the development of standards. Here, United Nations Members should move quickly towards the completion of a global convention against terrorism, the adoption of which would be an important step forward and a decisive tool in the global fight against terrorism.

In this regard, my delegation wishes to acknowledge and thank the Russian delegation for the contribution that it made with resolution 1566 (2004), which the Security Council recently adopted unanimously. That resolution will greatly facilitate the work of the Counter-Terrorism Committee by providing the international community with a tool to fill a gap that remains wide open due to the lack of a global convention.

Since my country joined the Security Council nearly two years ago, terrorism has pursued its deadly crusade, with the number of victims, including children, rising to unacceptable heights. Despicable terrorist acts are committed daily in all regions of the world as a grim reminder of the great threat posed by terrorism and of the urgent need for nations and peoples to unite in building a world free of the scourge of terrorism.

It is my delegation's view that to reach such an objective a different set of tools must be applied, namely, military force, tighter law enforcement measures and the addressing and solving of regional conflicts, as well as of the grave problems that remain entrenched in international life, such as poverty, human exploitation, inequality and sheer injustice: factors that create fertile ground for terrorism to breed and grow.

Since joining the Security Council, Angola has been a member of the CTC Bureau and has taken part in its efforts to make the Committee's work more effective and transparent. An important exercise towards that end has been the revitalization process and the implementation of the decision to establish the CTC Executive Directorate. That has been an effective contribution indeed.

The recently adopted resolution 1566 (2004) laid down an important framework for the coming work of the CTC, and today's briefing by its Chairman, clearly set out the way forward by calling for closer cooperation between the CTC and other United Nations bodies, namely, the Al Qaeda Taliban sanctions Committee and the Committee established pursuant to resolution 1540 (2004). The Chairman said also that other main tasks include strengthening practical cooperation with international, regional and subregional organizations, speeding up the revitalization process, enhancing the structural and operative capabilities of the Committee and, in particular, developing a direct dialogue with Member States and facilitating the provision of technical assistance to them.

In his briefing to the Security Council, Ambassador Denisov stated that 78 States are late in submitting their reports to the Committee pursuant to resolution 1373 (2001). In our view, this reflects a double reality. First, it raises the issue of what is called reporting fatigue, when States are called upon to present reports in a seemingly never-ending process, with each report raising additional questions calling for further reports of ever-increasing complexity. Secondly, the countries late in submitting the reports, all of them developing countries, face serious difficulties in complying with the provisions of resolution 1373 (2001). In reality, this requires a concerted national, regional and international effort in which the Counter-Terrorism Committee must play a central role in the enhancement of Member States' capacity to combat terrorism.

The thirteenth work programme, the revitalization of the CTC and the integration into the report review process of an analysis of a country's assessment of its needs constitute innovative methods that have with the objective of facilitating the provision of technical assistance adjusted to a country's needs. This is going to be of crucial importance in making reporting countries better able to comply with the obligations of submitting the information needed to close the gap.

Before ending, I should like to refer to the difficulties encountered by my country in complying with the relevant provisions of resolution 1373 (2001), namely in acceding to the 12 international conventions and protocols relating to terrorism and the enhancement of anti-terrorism legislation.

Nevertheless, I want to reiterate my country's unwavering commitment to the fight against terrorism; this morning's meeting makes a positive contribution to that end.

Mr. Rostow (United States of America): Let me begin by thanking the Chairman of the Counter-Terrorism Committee (CTC), Ambassador Denisov, and Executive Director Rupérez for their briefings and leadership.

These quarterly public meetings help ensure that counter-terrorism remains at the top of the Council's and the broader United Nations agenda. This practice should continue.

On 8 October last, Ambassador Danforth spoke of the spate of horrific terrorist attacks against innocent civilians. The landscape he described was not a pretty one. The attacks continue despite the international community's efforts to thwart them. The day before the Security Council adopted resolution 1566 (2004), in which it delivered its strongest condemnation of the intentional targeting of civilians, more than 30 vacationing civilians were murdered in a horrific terrorist attack in Taba, Eqypt. A week before that, the world saw the deliberate murder of 34 children and seven adults in a terrorist attack in Baghdad, and a terrorist attack at a Shi'ite mosque in Pakistan where dozens of worshippers were killed. Finally, on the day of the resolution's adoption, terrorists in Iraq beheaded a British civilian hostage.

Strong United Nations resolutions and statements from the floor condemning terrorism and pledging action are meaningful only if they are by followed up with action by all States. Only through concerted and coordinated action will we win the war on terrorism. To that end, my delegation calls upon all States and organizations to look at what they have done to contribute to the fight against terrorism and see where they can do more. The Counter-Terrorism Committee must do the same. Deeds matter more than words. This global fight can be won only with the unrelenting collaborative efforts of all States Members of the Organization and of all other international bodies.

Despite the repeated calls by the General Assembly and the Security Council for States to join the 12 international terrorism instruments, only 57 States are parties to all 12, and 47 are parties to six or fewer of those instruments. Given that these conventions help facilitate cooperation among States to fight terrorism, no one should be satisfied with the current participation levels. We can and must do better. Resources exist to help, particularly the Terrorism Prevention Branch in Vienna. We encourage States to take advantage of those resources.

For those States that are party to a regional terrorism convention but not yet parties to all of the 12 international conventions, we reiterate what the Council said in resolution 1566 (2004): joining regional conventions cannot be viewed as an alternative to joining the international ones.

Some regional conventions would seem to justify attacks against civilians, depending on the political, philosophical, ideological, racial or ethnic motivation of the perpetrators. This is contrary not only to the text and spirit of resolution 1566 (2004), but also to the work of the Counter-Terrorism Committee. In resolution 1566 (2004), the Security Council unanimously endorsed the proposition that the deliberate targeting of civilians is simply unjustifiable by any cause. Until everyone accepts this proposition, we shall not see truly universal collaboration against terrorism — indeed, we shall not see the end of terrorim.

The United States is pleased to see that the revitalization of the CTC is nearing its final stages. We urge both the Secretary-General and the General Assembly to take the necessary action to ensure that the Counter-Terrorism Executive Directorate is up and running as soon as possible. An effective Executive Directorate lies at the heart of improving the CTC's ability to monitor States' efforts to implement their obligations under Security Council resolution 1373 (2001), to identify gaps in States' capacities, and to work with assistance providers to fill those gaps. We encourage States to take advantage of this opportunity and to reach out and invite Executive Director Rupérez and his colleagues to visit.

As the Counter-Terrorism Committee begins its fourth year of work, it should feel proud of its accomplishments: more States than ever before have the necessary legal and executive machinery in place to combat terrorism; more States and organizations than ever before are engaged in the global counter-terrorism campaign, and this global campaign is better coordinated than ever before. Yet there is much more to do, and we must all do our utmost together in fighting terrorism.

The President: I shall now make a statement in my capacity as the representative of the United Kingdom, and, in that capacity, fully associate my delegation with the statement to be made by the Ambassador of the Netherlands on behalf of the European Union and the candidate countries.

As all speakers so far this morning have underlined, the work of the Counter-Terrorism Committee (CTC) is as important today as when it started. We have been reminded of numerous and repeated examples of the scourge of terrorism in recent weeks. Terrorism knows no boundaries and respects no political point of view. Against that backdrop, the persistent efforts of the CTC and of United Nations Member States remain crucial, we are convinced.

My delegation is particularly grateful to Ambassador Denisov for his work. Not all of it will be apparent to colleagues or others in the Chamber; he has done a great deal behind the scenes on behalf of the Committee. Since this is quite likely to be the only open meeting of the Council in which he speaks as CTC Chairman, I should like to thank him very warmly for his personal contribution and that of his delegation to keeping the CTC working efficiently in a period of change.

It is also good that we have with us Ambassador Rupérez, Executive Director of the Counter-Terrorism Executive Directorate. We very much welcome his efforts and those of his team to prepare the work and the functioning of the CTED, and, like others, we look forward to seeing it up and running as soon as possible.

The CTC continues to work on two priority areas: first, promoting ratification of the international conventions and, secondly, encouraging and assisting States with the domestic implementation of measures to combat terrorism.

The measure of the success of the Committee is not how many reports are written, or even whether they are written. The measure of success is, of course, effective steps taken on the ground that make it more difficult for terrorists to operate. But the problem is that, without reports from States, the Committee will not know whether we all are taking the necessary steps or not. So, recognizing the difficulties some States have in producing reports, my delegation nevertheless calls on all States that have missed a deadline for replying to the Committee to reply quickly. I call on them also to let the Committee know of any problems they are facing in meeting those deadlines and any problems they are facing in putting in place counter-terrorism measures domestically.

The Committee, we know, is as keen as ever to help all States tackle terrorism. If that includes difficulties in reporting, I hope that the CTC can assist.

Its assistance will soon include visits by the Committee to States to offer assistance and to assess whether that assistance would be beneficial to support implementation on the ground that meets the standards that the United Nations has called for. We look forward to the early start of such visits and hope that they will both help States to overcome their difficulties in implementing counter-terrorism measures and contribute to ever-more-effective barriers to terrorist activity.

On 8 October, the Council adopted resolution 1566 (2004). That important resolution, among other points, makes clear the Council's wish that the CTED should start work as soon as possible. It also asks the CTC to prepare a set of best practices for States in a particular area of concern — terrorist financing — and we look forward to participating in that work.

Finally, I would like to say that we also support the call in resolution 1566 (2004) for enhanced cooperation between the three Security Council Committees that are tackling terrorism: the CTC, the Committee on Al Qaeda and Taliban sanctions created pursuant to Security Council resolution 1267 (1999) and the Committee created pursuant to resolution 1540 (2004). The quite separate, new Security Council working group to be set up in accordance with resolution 1566 (2004) will no doubt also want to remain in close contact with the existing Committees and to draw on their expertise.

I now resume my functions as President of the Security Council.

I would like to explain that as another measure to optimize the use of our time, in order to allow as many delegations to take the floor as possible this morning, I will not individually invite speakers to take seats at the table and invite them to resume their seats on the side. Rather, when a speaker is taking the floor, the Conference Officer will seat the next speaker on the list at the table, as they have already done.

I now give the floor to the representative of Japan.

Mr. Haraguchi (Japan): First of all, I would like to thank both Ambassador Denisov and Ambassador Rupérez for today's detailed presentation on the work of the Counter-Terrorism Committee (CTC) and its Executive Directorate (CTED).

Today, the incidence of terrorist acts is on the rise and the damage caused by such acts grows increasingly more devastating, leaving us far from our goal of eliminating terrorism. Given the present situation, my Government welcomes the fact that the CTC is pursuing its revitalization process under the leadership of Ambassador Denisov and that the members of the Security Council have unanimously adopted a new resolution — 1566 (2004) — to strengthen international cooperation on counter-terrorism policy and to send a clear message to the international community that the Security Council is actively addressing counter-terrorism issues.

My Government supports the revitalization of the CTC based on the measures contained in resolutions 1535 (2004) and 1566 (2004). That said, I would like to make the following three specific points.

First, resolution 1566 (2004) calls for the establishment of a Security Council working group to consider measures to be imposed on terrorists other than those associated with the Taliban or Al Qaeda. That is an area which to date has not been dealt with proactively. We support that step, but we also believe that the relationship between the new working group and the existing organs, such as the CTC and the Al Qaeda and Taliban sanctions Committee, should be thoroughly elucidated at the outset. The establishment of the working group should not end up merely producing more hypertrophy of the Organization. Care must be taken to ensure that the new working group will actually contribute to the strengthening of counter-terrorism policy.

My second point has to do with the proposed visits of the CTC to States, which was included in the CTC's work programme for the third quarter of this year. It should be recalled that the Security Council has also directed the CTC, as a matter of priority, to start visits to States in its resolution 1566 (2004). My Government appreciates that the CTC has adopted general guidelines for conducting CTC visits to Member States, as well as the procedures for such visits. We understand that work on the planning of those visits in regard to actual destinations and other details is still ongoing. It is my Government's hope that, after the visits, the CTC will share its views with Member States, in as concrete terms as possible, concerning what each visit has achieved and what it is expected to produce.

Thirdly, my Government appreciates that the organizational plan of the CTED was endorsed by the Security Council in August, although the detailed structure of that organization has not yet been delineated. My Government strongly hopes that, with Ambassador Rupérez as its Executive Director, the CTED will soon be actively at work fulfilling its mandate so that it may serve as yet another effective tool in the fight against terrorism. Japan, for its part, is prepared to actively cooperate in the successful launching of the CTED.

Before concluding my statement, let me add that Japan extends its deepest condolences to the families and relatives of the victims of all the recent terrorist acts. Terrorism can never be justified for any reason whatsoever. I wish to reiterate our strong support for the further strengthening of international cooperation, with a view to preventing future acts of terrorism. My Government offers its full cooperation towards the realization of an effective counter-terrorism policy through the implementation of the relevant Security Council resolutions.

The President: I now call on the representative of Liechtenstein.

Mr. Wenaweser (Liechtenstein): It is a pleasure, Mr. President, to address the Council under your presidency.

At the outset, I would like to thank both Ambassador Denisov and Executive Director Rupérez for their briefings this morning and to extend to them our best wishes for their future work.

Liechtenstein strongly condemns all acts of terrorism, irrespective of their motivation, wherever and by whomsoever committed. We are committed to international cooperation to fight terrorism, in particular through the 12 United Nations conventions and protocols in this area, all of which have been ratified by Liechtenstein, and through the work of United Nations bodies such as the Counter-Terrorism Committee and the Al Qaeda and Taliban sanctions Committee. We are further of the view that the fight against terrorism must not be carried out at the expense

of international legal standards, in particular in the area of human rights.

Beginning with the adoption of resolution 1373 (2001), the Security Council has acted forcefully to live up to its responsibility with respect to the global threat of terrorism. In March 2004, the Council adopted a set of measures aimed at reinforcing the effectiveness of the Counter-Terrorism Committee. We hope and are confident that the new structure will be operational by early 2005 and that it will live up to the high expectations that we all have of it.

The CTC should continue to work in a transparent manner, inter alia, through regular formal and informal briefings for all Member States. The Council itself is similarly called upon to uphold the principles of inclusiveness and transparency when acting to foster international cooperation against terrorism. With the adoption of resolution 1566 (2004), the Council took the fight against terrorism to a new level. We regret that the wider United Nations membership was not given an opportunity to express its views on the draft of that resolution, given its important implications for our common fight against terrorism worldwide. We therefore take this opportunity to express our views after that draft resolution's adoption.

We welcome all the Council's efforts to increase cooperation and coordination among all international actors in the fight against terrorism, and we appreciate that resolution 1566 (2004) is part of that effort. Our concerns regarding resolution 1566 (2004) revolve around the issue of the rule of law, which the Council had discussed only two days prior to the adoption of that resolution.

First, the resolution employs broad language, directing States to extradite or prosecute persons who are considered to be involved even indirectly, in terrorist acts. The definition of such involvement is unclear, and this poses the danger of including persons who could not even be considered as having acted with intent, as is required under international law. Secondly, the resolution attempts to define terrorist acts in a way that leaves questions of interpretation open, while calling on States to prevent and punish acts of such nature. Thirdly, it raises the question of the relationship between the work of the Council and the efforts underway in the General Assembly, the law-making body of this Organization, to agree on a definition of terrorism.

Finally, the resolution envisages new practical measures to be imposed upon individual groups or entities involved in or associated with terrorist activities beyond those who are designated by the Security Council Committee established pursuant to resolution 1267 (1999) concerning Al Qaeda and the Taliban and Associated Individuals and Entities. A working group will make recommendations on such measures, especially regarding criminal prosecution and freezing of assets.

Together with others, we have repeatedly expressed the view that due-process standards with respect to the current sanctions regime under resolution 1267 (1999) and 1455 (2003) should be improved, in particular with regard to the need for access to legal remedies and the possibility of delisting in cases of factual errors. It is thus crucial that an expanded regime be equipped with the necessary mechanism to establish the facts objectively and to review decisions in a fair and independent manner. This will greatly facilitate and enhance implementation by States that wish to respect rule of law standards in carrying out the legally binding decisions of the Council. We hope that the working group will proceed in an inclusive and transparent manner and on the basis of respect for the fundamental principles of due process.

The President: I now give the floor to the representative of the Netherlands.

Mr. van den Berg (Netherlands): I have the honour to take the floor on behalf of the European Union (EU). The candidate countries Bulgaria, Romania, Turkey and Croatia, the countries of the Stabilization and Association Process and potential candidates Albania, Bosnia and Herzegovina, the former Yugoslav Republic of Macedonia, Serbia and Montenegro and the European Free Trade Association (EFTA) countries Iceland and Norway, members of the European Economic Area, align themselves with this declaration.

The EU welcomes the recent adoption of Security Council resolution 1566 (2004). The Chairman of the Counter-Terrorism Committee (CTC) pointed out very rightly that this resolution clearly prioritizes the main tasks of the Committee.

First, resolution 1566 (2004) calls for a more coordinated approach and closer cooperation between the CTC and other United Nations bodies. The EU welcomes the further strengthening of cooperation, not only between the Security Council committees dealing with counter-terrorism, but also with other parts of the United Nations system involved in counter-terrorism, such as the Terrorism Prevention Branch of the United Nations Office on Drugs and Crime and the General Assembly's Sixth Committee in its codification efforts on this matter, in particular on the draft convention against nuclear terrorism. The EU hopes for this draft convention's early conclusion. Furthermore, the EU welcomes the working group to be established under resolution 1566 (2004) as a useful tool in the efforts to strengthen United Nations action against terrorism. The EU will take an active interest in the work of the group, and would welcome information about — and possibilities to discuss — its programme of work.

Secondly, the CTC must more actively and effectively strengthen practical cooperation with international, regional and subregional organizations in all areas related to resolution 1373 (2001). In this regard, the EU welcomes that the CTC will prepare, in consultation with the relevant international, regional and subregional organizations and United Nations bodies, a set of best practices to assist States in implementing the provisions of resolution 1373 (2001) related to the financing of terrorism.

The EU will stand ready for close cooperation with the CTC and wants to reiterate that the European Council wholly supports the goal of fully and universally implementing resolution 1373 (2001). In its Declaration on Combating Terrorism of 25 March 2004, the European Council emphasized the importance of developing technical assistance strategies to enhance the counter-terrorist capacity of third countries. In the same declaration, the European Council also agreed on the establishment of the post of the EU counter-terrorism coordinator. This coordinator is working to promote greater cooperation between the various EU counter-terrorism initiatives, policies and activities.

In our external policies, we emphasize the importance of ratifying, without reservation, and effectively implementing the relevant international conventions and protocols related to terrorism and preventing the financing of terrorism. We also emphasize addressing other factors that may contribute to the fight against terrorism, such as non-proliferation and arms control, as well as continued efforts in lifting the veil of so-called charitable institutions.

As a third priority for the CTC, the Chairman mentioned the importance of speeding up the revitalization process on the basis of the organizational plan of the Counter-Terrorism Committee Executive Directorate (CTED). First and foremost, the European Union would like to welcome the Security Council's endorsement of the organizational plan for the CTED. We are of the opinion that the establishment of the Directorate will be an effective way to enhance the Committee's ability to monitor the implementation of resolution 1373 (2001) and effectively continue the capacity-building work in which it is engaged. We welcome the Council's request in resolution 1566 (2004) that the Secretary-General take, as a matter of urgency, appropriate steps to make the CTED fully operational.

With regard to this new CTED, the EU would like to reiterate its wish to see a human rights expert included in the Directorate. We understand this is the intention of the Executive Director and we commend him for this. We furthermore attach importance to cooperation between the Executive Directorate and the Office of the United Nations High Commissioner for Human Rights (OHCHR). The EU has a long-standing position that counter-terrorism activities must at all times be undertaken with full respect for obligations under international law, in particular human rights, international humanitarian and refugee law.

As a fourth priority, the Chairman mentioned that the CTC must step up its efforts to develop direct dialogue and information exchange with Member States on resolution 1373 (2001) and the facilitation of technical assistance, in particular through the practical organization of initial visits to States with their consent. In this context, the European Union supports a more proactive role of the CTC. We would welcome more direct dialogue and information exchange with the States in need of assistance and the donor community, including close dialogue and cooperation with the Counter-Terrorism Action Group of the Group of Eight.

In addition, the European Union would like to point out that the submission of reports by Member States remains an essential working tool for the CTC. Therefore, the European Union would like to call upon

all States that did not submit their reports on time to do so as soon as possible.

Lastly, the European Union has taken note of the Committee's efforts to integrate analysis and assessment of each country's assistance and other needs into the report-reviewing process.

The European Union is of the opinion that the Chairman very pertinently addressed the priorities of the CTC in his briefing on the Committee's programme of work.

I should like to conclude by reiterating that the European Union and its member States remain strongly committed to our common goal: the full and universal implementation of resolution 1373 (2001).

The President: I now give the floor to the representative of Switzerland.

Mr. Maurer (Switzerland) (*spoke in French*): Terrorist acts are one of the gravest threats to international peace and security. Therefore, the fight against terrorism concerns the entire international community. In that regard, Switzerland welcomes the holding of an open debate and is pleased that the Swiss delegation of the Inter-Parliamentary Union had the opportunity to listen to this debate today.

We thank Ambassador Denisov and Executive Director Rupérez for the work accomplished thus far, and particularly for the very useful information they provided to us this morning. Switzerland thanks the chairmanship of the Counter-Terrorism Committee (CTC) for having prepared the work programme for the thirteenth 90-day period. We must also thank the Committee for the remarkable work it has accomplished in three years.

The adoption of the Executive Directorate's organizational plan will enable the CTC to continue and strengthen its dialogue with Member States. We are convinced that the Committee's future visits to Member States, as envisaged in the procedures recently approved by the Committee, will be carried out in a spirit of transparency and in a way that will ensure close cooperation with the countries concerned. Switzerland has already cooperated closely with the Committee in the implementation of resolution 1373 (2001), and we intend to continue that cooperation in the future.

Switzerland has noted the Security Council's adoption of its resolution 1566 (2004). We welcome the Council's resolve to strengthen the means of combating terrorism. Switzerland regrets that the adoption of resolution 1566 (2004) was not preceded by an open debate enabling all United Nations Members to express their points of view. The fight against terrorism is a long-term challenge. It is therefore necessary to think in terms of duration and effectiveness by ensuring the participation of everyone. Switzerland would like all Member States to be included from the outset in the efforts of the new working group established by resolution 1566 (2004).

Terrorist groups intentionally target civilians and can obtain access to modern technologies with unprecedented destructive power. The persons responsible for such acts must be either prosecuted and judged or extradited. The international community must be careful not to sacrifice respect for human rights and the rule of law in the fight it must wage against terrorism. Switzerland is also convinced that it is not necessary to infringe fundamental freedoms to ensure the effectiveness of the fight against terrorism.

Under the mandate envisaged in resolution 1566 (2004), the working group must consider and recommend to the Council measures to be imposed on persons or entities that participate in or are associated with terrorist activities. Such measures include the freezing of financial assets, bans on travel and arms embargoes. The possibility of establishing a consolidated list has also been raised in Council discussions. However, for reasons of legitimacy and effectiveness, we should consider whether it is appropriate that the Security Council alone decide on the content of such a list. Switzerland believes that, if necessary, mechanisms should be developed to enable all Member States to be included. Moreover, if such a list were to be established, it is important that it be the result of a process that would provide sufficient guarantees of impartiality and transparency and would ensure that the persons and entities whose names were on the list would have the opportunity to challenge such a listing if they considered themselves victims of errors or abuse.

In addition, Switzerland regrets that resolution 1566 (2004) contains formulations of a legislative nature that do not correspond to the definitions used in the draft comprehensive convention on international terrorism and in the 12 international conventions

against terrorism; nor do they comply with the principle of legality in criminal law, which requires the clear and precise formulation of laws. In order to avoid such inconsistencies between the work of the General Assembly and the actions of the Security Council, Switzerland hopes that in future the Council will fully respect the prerogatives of the Assembly with regard to developing and codifying international law.

At the same time, Switzerland calls on the General Assembly to swiftly find a consensus on the aspects of the comprehensive convention on international terrorism that are still being negotiated. An objective definition of terrorism would facilitate Security Council actions against terrorism.

Switzerland must recall once again the statement we made in March this year during the open debate on the revitalization of the Counter-Terrorism Committee. On that occasion, we proposed setting up a central counter-terrorism office under the authority of the Secretary-General, which would assume the main responsibility in the medium term for the fight against terrorism carried out within the framework of the United Nations. Costa Rica recently developed a proposal whose objectives are somewhat comparable; it deserves our full attention.

The President: I now give the floor to the representative of India.

Mr. Sen (India): We thank you, Mr. President, for providing this opportunity to the general membership to express its views on the threats posed by terrorist acts to international peace and security. I would also like to thank Ambassador Denisov, Chairman of the Security Council Committee established pursuant to resolution 1373 (2001), and Ambassador Javier Rupérez, Executive Director of the Counter-Terrorism Executive Directorate, for their extensive briefings this morning.

Today, there is almost unanimous agreement among the membership of the United Nations that the threat represented by terrorism is global, afflicting countries worldwide irrespective of region, religion, colour or creed. The instances of terrorist attacks in Beslan or Bali, Moscow or Madrid, New York or New Delhi, Casablanca, Istanbul, Taba or Riyadh are fresh in our minds. They represent flashpoints in a larger fight against terror being waged in various parts of the world.

Terrorism is not a new phenomenon to India. More than 60,000 Indians have fallen victim to the ravages of terrorism and to those who perpetuate, promote, sponsor or facilitate it. Nor is terrorism new to the United Nations. As early as in October 1970, the General Assembly affirmed in a declaration that every State had the duty to refrain from organizing, instigating, assisting or participating in terrorist acts in another State.

We congratulate the Security Council on its unanimous adoption of resolution 1566 (2004) on 8 October 2004. We would have been happy to share our views on that critical resolution before its adoption, but we did not have the opportunity to do so. In our view, resolution 1566 (2004) represents a logical extension of the existing multilateral cooperation on counter-terrorism. It takes forward the ideas first enunciated in the landmark Council resolutions 1267 (1999) and 1373 (2001). In doing so, it also draws attention to the need to move forward in the General Assembly's consideration of this important issue.

Soon after the adoption of resolution 1373 (2001), my delegation, in a statement to the Council under this agenda item, recommended that the Council extend its actions to groups known to perpetuate terrorism; that it be proactive in seeking the views of Member States, particularly those affected by terrorist acts; that it not leave unchallenged or unaddressed claims of moral, political and diplomatic support for terrorism; and that it institute more effective measures to deny safe haven to terrorists and to seek their extradition. Resolution 1566 (2004) seeks to implement the very measures that India advocated almost three years ago. For that reason, among others, it has our support.

Terrorism constitutes one of the most serious threats to peace and security. It knows no border or boundary; it observes no codes of conduct or constraints of religious ideology; nor is it restrained by humanity or the bounds of civility. Its objective is, inter alia, to provoke a state of terror in the general public or in a group of persons or particular persons, intimidate a population or compel a Government or an international organization to do or to abstain from doing any act. It dictates its terms through death and destruction, fear and confusion. It is indiscriminate in its wrath. It cannot be justified under any circumstances, be they of a political, philosophical,

ideological, racial, ethnic, religious or other similar nature.

The international community has to continue to work together to address this common global threat. The work of the Committees established pursuant to resolutions 1267 (1999) and 1373 (2001) has to be taken further. Resolution 1566 (2004) represents a timely and laudable initiative designed to move the international community forward in its common consideration of the issue. We hope that the working group constituted by the Council pursuant to that resolution can come to an early conclusion on the need for greater international cooperation on practical measures to be imposed on terrorists and their supporters, including through prosecution or extradition and the establishment of a consolidated list of individuals, groups or entities involved in or associated with terrorist acts.

Resolution 1566 (2004) calls upon Member States to cooperate fully in expeditiously adopting the draft comprehensive convention on international terrorism and the draft international convention for the suppression of acts of nuclear terrorism, pending in the Sixth Committee of the General Assembly. We are confident that this would renew the impetus among Member States to activate the Assembly on this important issue and lead to the speedy adoption of both texts.

The unanimous Council vote in favour of resolution 1566 (2004) was a positive sign of the commitment of the international community to remain steadfast in this global fight against terror. It is sometimes forgotten that Mahatma Gandhi, who led the greatest non-violent mass movement, preferred to call it off and postpone independence in the 1930s rather than compromise with an act of terrorist violence in Chauri Chaura. The integration of all faiths that have contributed to the rich fabric of Indian civilization is shown by the fact that there was not a single terrorist from India among the "foreign fighters" abroad.

We also recall the unimpeachable secular credentials of the great popular movements in the Islamic world after the Second World War. Against that backdrop, the extreme reactionary vision of terrorists can only strengthen responses, while their extreme antihumanism and devotion to death and destruction dooms them to certain failure.

I would like to conclude by mentioning, as I have done on an earlier occasion, that the new Government of India is committed to the repeal of the Prevention of Terrorism Act and, therefore, to fighting terrorism without — in Benjamin Franklin's great phrase — diminishing the legal personality of the citizen.

The President: The next speaker is the representative of Cuba, on whom I now call.

Mr. López Clemente (Cuba) (*spoke in Spanish*): My Government would like to express its appreciation for the information presented by the Chairman of the Counter-Terrorism Committee (CTC) and by Mr. Javier Rupérez.

There must be true international cooperation in the struggle against terrorist acts in all their forms and manifestations, wherever and by whomever committed, with Third World countries participating as equals, transcending political, religious or other differences. The United Nations should play a central role in that cooperation.

We can make progress in the struggle against terrorism only by means of international cooperation, based on full respect for international law and the Charter, not by means of extrajudicial executions, arbitrary detentions of a country's nationals or foreign citizens, the persecution of immigrants or other violations of human rights, pre-emptive wars, acts of aggression or vengeance, covert actions that violate laws and borders, unilateral sanctions, drawing up "lists" of countries or singling them out with obscure political purposes in mind, or other unilateral actions that will only bring about further violence.

While rejecting the arbitrary inclusion of Cuba in yet another list of countries that allegedly support terrorism, as drawn up by the United States, I would like to take this opportunity to remind the Council that my country was among the first three countries to ratify the 12 international instruments on terrorism. It has promulgated a comprehensive law against terrorist acts, adopted additional and effective non-legislative measures and cooperated in good faith with the Security Council, in particular the CTC, to which it has submitted four comprehensive reports in a timely manner.

Cuba has never allowed, nor will it tolerate or permit, the use of its territory to carry out, plan or

finance acts of terrorism against any State, without exception.

Cuba supports a definition of terrorism that distinguishes between terrorism and the legitimate struggle of peoples for their right to self-determination and against foreign occupation. Cuba believes the conclusion in the General Assembly of the draft international convention for the suppression of acts of nuclear terrorism and of the draft comprehensive convention on international terrorism to be an urgent necessity.

The Council's tendency to legislate under Chapter VII of the Chanter was demonstrated on 8 October, when it adopted resolution 1566 (2004). That resolution is designed to define terrorism — a task that is rightly the General Assembly's — in a manner that is biased, and to include under Chapter VII a number of items and questions that fall within the discretionary competence of the Assembly, as with negotiations on the two conventions to which I referred and the establishment of a fund to assist victims of terrorism.

Furthermore, given the Security Council's double standards with regard to the fight against terrorism, we are concerned that the CTC has been granted the prerogative to establish a monitoring mechanism in countries by means of visits without having to obtain the consent of the State involved.

Cuba will comply with its own sovereign laws and reiterates its readiness to cooperate with all countries, with full respect for the Charter and international law. In that spirit, on three occasions the Cuban Government proposed to the Government of the United States — unconditionally and in accordance with the provisions of resolution 1373 (2001) — that three draft bilateral agreements be drawn up on cooperation to combat terrorism, illicit drug trafficking and trafficking in persons, but these were rejected by the United States on flimsy pretexts.

Yet the United States provides weapons, safe haven and the use of its territory with full freedom of movement to groups of the anti-Cuban mob based in Miami, despite the fact that such groups have been planning, financing and carrying out terrorist acts against Cuba for more than four decades, including bomb attacks, assassination attempts against Cuban leaders and other actions resulting in harm or death to thousands of people, as well as in great economic hardship to my homeland.

Five young Cuban men have been given life — or very long — sentences by an illegitimate court in Miami for carrying out observation activities of those terrorist groups so as to prevent similar attacks against Cuba and the territory of the United States itself. Those young men have already been imprisoned for more than five years in the United States. They are subjected to excessive and long confinement and isolation, and in some cases they have had no personal contact with their wives or other relatives since being imprisoned.

Another recent event has once again provided evidence of the double standards applied by the Government of the United States in its alleged war on terror. On 25 August, the then-President of Panama, Mireya Moscoso, signed Decree 317, by means of which four terrorists of Cuban origin were pardoned. They had been arrested, tried and sentenced in Panama for planning an assassination attempt on President Fidel Castro in November 2000.

Mrs. Moscoso's actions, carried out in conspiracy with the United States Government and the Miami terrorist mob just one week before the end of her presidential mandate, was the culmination of a process, begun in 2001, to make compromises with anti-Cuban terrorism by protecting those terrorists of Cuban origin.

On 12 September, one day after the commemoration of the anniversary of the crime perpetrated on 11 September 2001 in the United States, the anti-Cuban mob based in Miami publicly celebrated and welcomed with open arms three of those terrorists, who had travelled with false documents.

Is not even the promotion and encouragement through the United States media of confessed terrorists with long criminal histories, including with the FBI, an affront to legitimate international efforts to fight the scourge of terrorism? Luis Posada Carriles, the fourth and perhaps the most notorious terrorist among those pardoned by Moscoso, is presumably somewhere in Central America. Abundant information about our accusation, including the criminal records of the four terrorists, may be found in documents S/2002/15 and S/2004/753 and in our statements in Security Council open debates on this issue in 2003 (see S/PV.4710) and earlier this year (see S/PV.4921).

On 4 March 2004, during a debate similar to this one, we asked once again about the practical actions the Council was planning to take, particularly in the CTC framework, regarding the considerable evidence

that has been presented concerning terrorist actions committed against our country in blatant violation of resolution 1373 (2001) and other international legally binding instruments. In view of the lack of action to date, we would like to ask today whether resolutions 1373 (2001) and 1566 (2004) are not applicable to our specific accusations with regard to the aforementioned terrorist acts, which have gone unpunished.

Those who repeatedly proclaim their determination to fight tirelessly to eradicate international terrorism, without exceptions or selectivity, have a clear opportunity to prove that the Security Council, where some have veto power, is in fact an instrument capable of addressing the struggle against international terrorism in an effective, just, impartial and non-selective manner.

The President: I call next on the representative of Thailand.

Mrs. Loahaphan (Thailand): First of all, let me join previous speakers in thanking Ambassador Denisov for his detailed presentation on the work of the Counter-Terrorism Committee (CTC). We also thank the Executive Director of the Counter-Terrorism Committee Executive Directorate (CTED) for his briefing.

Terrorism in all its forms and manifestations constitutes one of the most serious threats to international peace and security. All acts of terrorism are criminal and unjustifiable, regardless of their motivation, whenever and by whomsoever committed. Victims of terrorist attacks and their families deserve our deepest sympathy and condolences. To combat such a threat in today's world, international cooperative efforts, particularly within the United Nations, are needed more than ever.

In this connection, my delegation wishes to welcome the recently adopted Security Council resolution 1566 (2004), which, inter alia, establishes a working group consisting of all members of the Security Council to consider and submit recommendations to the Council on practical measures to be imposed upon individuals, groups and entities involved in or associated with terrorist activities, other than those designated by the Al Qaeda/Taliban sanctions Committee, and to consider the possibility of setting up an international fund, financed by voluntary contributions and seized terrorist assets, to compensate victims of terrorist acts and their families. We particularly welcome the ninth preambular paragraph of the resolution, which emphasizes the need to broaden understanding among civilizations in an effort to prevent the indiscriminate targeting of cultures and religions, and to address the full range of issues, including development concerns, all of which are necessary for sustaining the widest possible fight against terrorism.

In this connection, my delegation would like to commend the CTC for a job well done since it was established by Security Council resolution 1373 (2001). We also welcome the timely revitalization of the work and structure of the Committee, particularly the establishment of the CTED as a special political mission, under the policy guidance of the Committee plenary, with the aim of enhancing the Committee's ability to monitor the implementation of resolution 1373 (2001) and to effectively continue the capacity-building work in which it is engaged. Such revitalization is imperative in view of the more proactive role assumed by the Committee in its dialogue with Member States, in evaluating the implementation of resolution 1373 (2001), in facilitating technical assistance to Member States and in promoting closer cooperation and coordination with international, regional and subregional organizations. In that regard, my delegation would like to assure the Council of its continued willingness to closely cooperate with the Committee and its Executive Directorate; we look forward to the CTED becoming fully operational in the near future.

Thailand attaches great importance to the work of all the committees established by the relevant resolutions of the Security Council in its fight against terrorism and thus has always extended its full and timely cooperation to those various committees, which have different mandates but related objectives. Thailand also believes that intensified contacts and dialogue with the States Members of the Organization will contribute significantly to the work of the committees and will enhance the efficiency of Member States themselves in their implementation of relevant resolutions adopted by the Security Council.

That is why Thailand is pleased to have received a visit from Ambassador Heraldo Muñoz, Chairman of the Al Qaeda/Taliban sanctions Committee, and his delegation, which took place only last week. During that visit, a number of meetings requested by the Chairman of the Committee were organized, including

meetings with the Thai Prime Minister, the Foreign Minister, the Minister of Interior and other high-level officials of the competent authorities dealing with the issue of terrorism. First-hand information was provided and exchanged by the two sides, and intensive discussions on cooperation were held in a frank manner. The visit has indeed enhanced the level of understanding and cooperation between Thailand and the Al Qaeda/Taliban sanctions Committee in their efforts to ensure full and effective implementation of resolution 1267 (1999).

My delegation would like to stress that measures against terrorism adopted by States need at all times to be in compliance with international law, particularly international human rights, refugee and humanitarian law. In order for the fight against terrorism to be comprehensive, it is necessary that we also tackle the symptoms and root causes of terrorism, such as poverty, lack of development and basic necessities, and human rights abuses. In combating the violence and terror in today's world, more importance should be given to the cultivation of a culture of peace, understanding and tolerance, both within and among countries and their peoples, in order to make it possible for everyone to learn to live with one another's differences and eventually to enjoy the fruits that world peace and harmony can offer.

Before closing, my delegation is pleased to report that on 29 September 2004 Thailand deposited with the United Nations its instrument of ratification of the 1999 Convention for the Suppression of the Financing of Terrorism. With the amendments to the Thai penal code and the enactment of the Anti-Money Laundering Act of 2003, it is hoped that we will be able to become party to all other pending international conventions and protocols relating to terrorism by early next year.

Additionally, Thailand has played an active role with regard to capacity-building in the South-East Asian region, particularly in the area of extradition, within the legal issues working group of the Bali Regional Ministerial Meeting on Counter-Terrorism. Furthermore, Thailand has supported the conclusion of treaties on mutual legal assistance in criminal matters among the countries members of the Association of South-East Asian Nations, which enhances international cooperation and mechanisms in combating international terrorism.

The President: I still have some 16 speakers remaining on my list. Looking at the time, and with the concurrence of increasingly hungry members of the Council, I therefore intend to suspend the meeting until 3 p.m.

The meeting was suspended at 1:10 p.m.